

REMARKS

Entry of the above-amendments and reconsideration and withdrawal of the rejection are respectfully requested.

The withdrawal of the rejection of claim 25 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is now in order. The rug and upholstery composition of claim 25 has now been amended to read that it is a cleaning composition which is supported in the specification. Hence, this rejection should now be withdrawn

The rejections of claims 1-7, 9, 11-14, and 21 under 35 USC 102(b) as being anticipated by Butterworth et al is traversed. It must be reiterated that applicant's invention is directed to a household product that is limited to a cleaning, sanitizing, polishing, pesticide, or toilet preparation product. Butterworth et al does not disclose the instant invention. Butterworth et al is directed to a fabric softening composition which does not come within the scope of any of the household product definitions of the instant invention. It is submitted that Butterworth et al is enabling only for an aqueous fabric conditioning composition that comprises a fabric softener and a hydrophobically modified nonionic cellulose ether. It must be emphasized that fabric-softening compositions do not fall within the scope of applicant's invention. Applicant's invention has been limited to exclude fabric-softening compositions.

The Examiner is relying on the paragraph starting at line 29 that goes to line 48 of column 10 of Butterworth that discloses that the fabric-softening composition of Butterworth et al can include optionally other ingredients. There is an extended list of different type of materials of optional ingredients that can be included in the fabric softener, more for aesthetic or market value rather than for functional value. It is submitted that this reference does not enable a person skilled in the art how to practice applicant's invention. This reference is functional in its working examples only for using minor amounts of materials such as dye, opacifiers, and perfume. No where in this reference does it enables a person having an ordinary skill in the art how to make a composition that is directed to a cleaning composition, a sanitizing

composition, polish composition, a pesticide composition, or toilet preparation products. The Examiner has selected from this list "soil-release agents" and "germicide" to support that this reference discloses cleaning and sanitizing compositions. It is submitted that these teaching in this long extensive list does not enable or teach a person skilled in the art how to make a household product that is a cleaning agent or sanitizing agent as the Examiner contends. The ingredients that the Examiner is referring to are at best marginally added compounds as stated above for aesthetic value and/or marketing value without any true functional value associated to it as a soil-release agent or germicide. It must be emphasized that this reference does not enable a person skilled in the art of how to make a composition that is a cleaning composition or a sanitizing composition. This reference only discloses and teaches a person how to make a fabric-softening composition. To pick ingredients from a large extensive list randomly to read on the instant invention is not supported by the disclosure of this reference. A person skilled in the art would make such choices as the Examiner suggest from hindsight, since fabric softening objective is different from cleaning and sanitizing.


The Butterworth et al referenced discloses in lines 49-53 that the optional ingredients in the list, mentioned above, are each presented at levels up to 5% by weight of the composition. This simply does not enable a person skill in the art how to practice the present invention as a clean and/or sanitizing composition based on the instant invention. Applicant has presented 26 working Examples that disclose a number of cleaning and sanitizing compositions wherein the active ingredients are present in amounts far more than 5%. For example: Example 1 which is a toilet soap has 33% by weight actives, Examples 8 and 9 directed to pet shampoos have 28.7% actives, Example 14 of a soap bar has 85.3% actives, Example 18 directed to an automatic dishwashing detergent has 98.5% actives, and Example 20 which is directed to a toilet bar soap has 78% actives. Hence, one can see that in order to enable a person skilled in the art how to practice applicant's invention, there is quite a need for a great deal more of the active ingredient than 5%. This also supports the fact that this reference is talking about a fabric softener composition, not a sanitizing or cleaning composition.

Hence, for the reasons set forth above, it is submitted that the Butterworth et al reference clearly does not anticipate applicant's invention.

Applicant wish to thank the Examiner for the indication that claims 16, 18-20, 23, 24, 26, 28, 31, and 33 are directed to allowable subject matter if rewritten in independent form including all the limitations of base claim and any intervening claims.

For the reasons set forth above, it is submitted that the instant application is in condition for allowance and prompt notification thereof is respectfully requested.

Respectfully submitted,


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